

## **MINUTES**

The Tennessee State Board of Barber Examiners held a meeting on December 17, 2007 at 9:00 a.m. CST, in Nashville, Tennessee.

The following members were present: J. B. Loring, President, JaSanto Williams, Vice-President and Joe Jones. Cecil Groce was conducting the meeting from the phone. Vernon Winfrey was not present.

Others present were: Beverly Waller, Executive Director, Kathryn Wiseman, Staff Attorney, Terrance Bond, Staff Attorney and Lisa Swayze, Administrative Assistant Manager.

J. B. Loring, President asked all to join in prayer.

J. B. Loring, President asked all to stand for the pledge of allegiance.

J. B. Loring, President asked for a roll call.

## **MINUTES**

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to approve the minutes from the October 15, 2007. Motion carried unanimously.

## **APPEAR BEFORE THE BOARD**

Ralph Payne, Queen City Barber, Clarksville, TN – Present. Mr. Payne was present regarding approving the sharing strokes of the barber examination the old way and the new way, based in the Milady Book. The board approved both ways. (Due to the steps of the examination 1 thru 14)

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the shaving strokes both ways during rating of examinations. Motion carried unanimously.

Pam Swader – PSI Rater for barber examination – Present. Ms. Swader is present today to discuss with the board the possibility of continuing to work for PSI as a barber rater and instructing in a barber school.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones that Ms. Swader can not be an active instructor in a school and a rater at PSI. Motion carried unanimously.

Ms. Swader stated she would be terminating her position as a PSI rater. Ms. Beverly Waller, Executive Director stated that means the barber examination would be delayed for students. Ms. Swader stated she would begin teaching in school on January 3, 2008.

There are students scheduled to take the examination in January. Ms. Swader stated it takes three (3) months to train a new PSI rater. The board asked Ms. Kathryn Wiseman, Staff Attorney if a board member could rate until the position is filled. Ms. Wiseman stated she would check into this. Ms. Wiseman stated to the board to allow Ms. Swader to instruct and rate for the students who are scheduled in the month of January 2008.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to give PSI ninety (90) days to obtain and train a new rater, and ask Ms. Swader to continue to rate the students for the next ninety days and be able to instruct in a school. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

Ms. Beverly Waller, Executive Directors stated she needs clarification on the following. A barber who has been licensed since 1969 advised her that in the past a master barber who had been licensed for a period of time could be grandfathered in as a barber instructor and not be required to take the instructor examination. Ms. Waller stated she has not been unable to locate anything relating to this. Ms. Waller stated she stated the current rules that a master barber who has been licensed for 3 years or longer can apply to take the instructor examination. The gentlemen told Ms. Waller that was not the way it was done in the past.

The board stated a master barber can not be grandfathered as an instructor.

Application for change of ownership and change of name for Dudley Nwani The School #2. The ownership change is from Mr. Uchendi Nwani to Mr. Earl Davenport and the name of the school will change to Antioch Barber Academy.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the change of ownership and change of name. Motion carried unanimously.

A request for extension from the 2006 barber instructor seminar from Quannah Harris, owner of Last Minutes Cuts Barber School. She stated in her letter that she attends a number of seminars each year and she thought she had attended the seminar in 2006.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to decline Ms. Harris's request for an extension. Motion carried unanimously.

An application for reciprocity of master barber license from Barbara Gail Bosold was presented to the board. Ms. Bosold holds a valid license in the state of Florida with 1,200 hours of instruction in the barber curriculum. A letter with work history from salon owner states she worked for her almost seven (7) years (no specific dates of employment). We have tried unsuccessfully to get specific dates of employment but have not been able.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to request more information concerning work experience. Motion carried unanimously.

An application for license approval from Mr. Gary B. Parrish who has been caught at least twice working without a license and the board attorney requested we flag his file for when he does pass the barber examination. Mr. Parrish passed the Master Barber practical examination November 12, 2007 and has submitted his application for master barber license.

Mr. Cecil Groce stated to allow Mr. Parrish his license and note on his file, that if he gets any violation to request he appear before the board. Ms. Kathryn Wiseman, Staff Attorney stated that he would have to consent to the conditions. Legal will prepare document which Mr. Parrish will be required to sign before license is issued.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to issue Mr. Parrish a license with the conditions and flag his file with two (2) years of probation. Motion carried unanimously.

A request from the Fuller Family to issues a master barber license to Derick L. Fuller. He has not completed 1,500 hours of instruction in a license school of barbering. He has attended school, trained and apprenticed in his mother and fathers shop. Tennessee does not have an apprenticeship program.

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Williams to request Mr. Fuller to attend school for 1,500 hours and take and pass the examination to become licensed in the State of Tennessee. Motion carried unanimously.

After board packets were sent the following was received in the board office.

An application for a new barber school "Gateway Barber & Beauty College" located at 810 N.W. Broad St. #268, Murfreesboro, TN was submitted. The floor plan is provided.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to request Ms. Beverly Waller, Executive Director and Mr. Terry Barnes, Inspector to inspect the school. Motion carried unanimously.

University of Memphis has submitted the tentative agenda and dates for the Barber and Cosmetology Instructor Seminar. Dates are June 22 & 23. The agenda and dates have been approved by the cosmetology board at the last meeting.

MOTION was made by Mr. JaSanto Williams and seconded by Mr. Joe Jones to accept the 2008 instructor seminar. Motion carried unanimously.

Ms. Waller stated she gave each of the board members information on Formalin which is used as a disinfectant in shops. Formalin tablets release a gas called formaldehyde which is a suspected carcinogen (causes cancer). Formaldehyde can be extremely irritating to the eyes, nose throat and lungs. It can also be poisonous if inhaled. It can cause skin rashes and allergies, dryness and irritation. If used for a sufficient length of time formaldehyde may cause symptoms much like those of chronic asthma or bronchitis which will continue and worsen with continued use. This information was brought to the attention of the Board of Cosmetology and they requested a survey of other states as to the usage of formalin and a list of the different states responses as to formalin was provided to the board members. The Board of Cosmetology discussed this and at the last meeting decided formalin would no longer be required as a disinfectant in Tennessee cosmetology salons but it would not be prohibited. The board members were provided a copy of the statement posted to the web site and that will be distributed to salons. Ms. Waller asked what the barber board thinks and would they like to consider the same action. Ms. Waller stated since she just brought this before the board today and they have not had a chance to read the information would they like to table and discuss at the next meeting?

MOTION was made by Mr. Joe Jones and seconded by Mr. Cecil Groce to accept the same decision as the Cosmetology Board. Motion carried unanimously.

Consent orders totaled \$2,600.00.

Head Nappers Barber Shop  
3566 Walker #1  
Memphis, TN 38111

Violation issued March 3, 2007  
Pd \$1,000.00 on 12-5-07

Platinum Cutz  
529 Gallatin Road South  
Madison, TN 37115

Violation issued July 28, 2005  
Pd \$600.00 on 10-17-07

Studio East Hair Designs  
301-B Oak Ridge Turnpike  
Oak Ridge, TN 37830

Violation issued August 29, 2007  
Pd \$500.00 on 10-25-07

The Chair Barber Shop  
225-C North Rutherford Blvd.  
Murfreesboro, TN 37130

Violation issued August 24, 2007  
Pd \$500.00 on 11-16-07

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the consent orders. Motion carried unanimously.

## **STAFF ATTORNEY REPORT**

### **1. Case No.: L07-BAR-RBS-2007087431**

November 5, 2007 Notice of Violation provides that Respondent was operating a shop with an expired shop license (expired July 31, 2007). Respondent has renewed the license.

Duplicate complaint filed with the cosmetology board.

**Recommendation: Authorize formal hearing (Consent Order with \$150.00 civil penalty)**

MOTION was made by Mr. Joe Jones and seconded by Mr. Cecil Groce to accept the recommendation. Motion carried unanimously.

### **2. Case No.: L07-BAR-RBS-2007083271**

September 21, 2007 Notice of Violation provides that Respondent was operating an unlicensed shop. Respondent has applied for and received a license.

**Recommendation: Authorize formal hearing (Consent Order with \$250.00 civil penalty)**

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

### **3. Case No.: L07-BAR-RBS-2007087291**

November 8, 2007 Notice of Violation provides that Respondent was operating a shop with an expired shop license (expired March 31, 2007). Respondent renewed the license on November 28, 2007.

**Recommendation: Authorize formal hearing (Consent Order with \$300.00 civil penalty)**

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to accept the recommendation. Motion carried unanimously.

**4. Case No.: L07-BAR-RBS-2007085031**

October 17, 2007 Notice of Violation provides that Respondent was operating an unlicensed shop in a restaurant.

**Recommendation: Authorize formal hearing (Consent Order – Cease and Desist)**

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

**5. Case No.: L07-BAR-RBS-2007083361**

September 5, 2007 Notice of Violation provides that Respondent was operating a shop with an expired shop license (expired May 31, 2007); no manager was on duty; an unlicensed individual was working; and, a licensed cosmetologist was working.

**Recommendation: Authorize formal hearing (Consent Order with \$1,000.00 civil penalty)**

MOTION was made by Mr. Cecil Groce and seconded by Mr. Joe Jones to accept the recommendation. Motion carried unanimously.

MOTION was made by Mr. Cecil Groce and seconded by Mr. JaSanto Williams to allow attorney to close the cases on paid consent orders. Motion carried unanimously.

Ms. Kathryn Wiseman, Staff Attorney introduced Mr. Terrance Bond as the new attorney for the Barber Board.

MOTION was made by Mr. Joe Jones and seconded by Mr. JaSanto Williams to adjourn the meeting.